## REMARKS

In view of the above amendments and the following remarks, reconsideration is requested.

Claims 6 and 7 were rejected under 35 USC § 112, second paragraph, as being indefinite for reasons of being narrative and including non-idiomatic language. Claims 6 and 7 have been amended to remove the narrative form and to otherwise improve the US form of the claims. It is submitted that claims 6 and 7 as amended are definite and thus comply with 35 USC § 112, second paragraph.

Claims 14 and 15 were rejected under 35 USC § 101 as being directed to non-statutory subject matter. Claims 14 and 15 have been amended herein, and it is submitted that claims 14 and 15 as amended are directed to statutory subject matter under 35 USC § 101.

Claims 1, 3-5, 8, and 12-15 were rejected under 35 USC § 102(b) as being anticipated by Boon (EP 0971543). This rejection is traversed and is inapplicable to claims 1-15 as amended for the following reasons.

Each of independent claims 1, 6, 8, and 12-15 includes a recitation directed to "flag information indicating that display order information or coding order information of the picture is non-sequential." Boon does not disclose or suggest this feature.

Boon discloses that the header Hv of the compressed image data Dv includes a identification flag (RA flag) Hfd indicating whether or not the compressed image data Dv is suitable for use in random reproduction (see paragraph [0015]). However, Boon fails to disclose "flag information indicating that display order information or coding order information of the pictures is non-sequential" as recited in independent claims 1, 6, 8, and 12-15. Accordingly, claims 1-15 are not anticipated by Boon.

Additionally, dependent claim 3 recites "determining that the picture order is non-sequential when values indicated by the coding order information of the pictures are in non-sequential order." The Examiner indicates that Fig. 5a of Boon shows the feature of claim 3 of the present invention. However, Boon describes that the compressed image data Dvc of Fig. 5a is "obtained by performing the intra-frame coding process to the frame data P(1)-P(n) of

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respective frame of the moving picture data D" (see paragraph [0168]). Boon does not disclose "determining that the picture order is non-sequential" as recited in claim 3. For this additional reason, claim 3 is not anticipated by Boon.

Claims 2, 6, 7, 9, and 11 were rejected under 35 USC 103(a) as being unpatentable over Boon in view of Teo (US 5,621,464). This rejection is traversed.

As discussed above, Boon does not disclose or suggest "flag information indicating that display order information or coding order information of the picture is non-sequential" as recited in independent claims 1, 6, and 8. Teo does not remedy the lack of disclosure or suggestion by Boon of this feature recited in claims 1, 6, and 8. Therefore, no obvious combination of Boon and Teo would result in, or otherwise render obvious, the invention recited in claim 6. Moreover, claims 2 and 7 depend from claims 1 and 6, respectively, and claims 10 and 11 ultimately depend from claim 8. Therefore, no obvious combination of Boon and Teo would result in, or otherwise render obvious, the invention recited in claims 2, 7, 10, or 11.

Because of the distinctions discussed above, it is submitted that claims 1-15 are allowable over the prior art of record and that the present application is in condition for allowance.

In the moving picture coding method of the present invention, the coded stream includes the above-explained characteristic flag information, so that it is possible to edit a moving picture at any place, not necessarily at the IDR picture which is a special intra picture. In addition, by the moving picture coding method of the present invention, removing of the pictures which are not displayed yet caused by the non-sequentiality in the display order information of the pictures can be prevented.

In view of the above, allowance of the present application is respectfully requested.

Respectfully submitted,

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